



Facsimile

RECEIVED
CENTRAL FAX CENTER
MAY 06 2005

ATTORNEYS AT LAW SINCE 1895

To: Michael E. Butler, Examiner Fax Number: 703 305 7687
Company: USPTO Phone Number:
From: Edward L. Pencoske Pages: 12
Date: May 6, 2005 Client/Matter No.:
I.D. No.:

Messages:

Our Ref. No.: DB000972-002 (014506.085292)
Serial No.: 10/706,832
Title: METHOD OF OPERATING A DISPENSING CABINET

Dear Examiner Butler:

I am concerned that the 116 Amendment you reviewed did not contain the claims that I intended to, or did, file.

Claim 1 has been amended to add "variety" but your note in the continuation of paragraph 11 indicates otherwise.

Claims 4 and 6 have been amended to add "non-patient specific" but your note indicates otherwise.

The claims submitted with the 116 Amendment were not the same as the claims submitted on 10/18/2004, but your note indicates otherwise.

Please review the attached 116 Amendment and advise if that is the document that you reviewed.

Respectfully,
Edward L. Pencoske

Enclosures: Transmittal Letter, Response and Amendment under Rule 116, Copy of Return Receipt Post Card.

CONFIDENTIALITY NOTICE

THIS FACSIMILE TRANSMISSION, TOGETHER WITH ANY ATTACHMENTS, IS INTENDED ONLY FOR THE ADDRESSEE. IT MAY CONTAIN INFORMATION WHICH IS LEGALLY PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE. IF YOU ARE NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISCLOSURE, COPYING, DISTRIBUTION, USE, OR ANY OTHER ACTION OR RELIANCE ON THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS FACSIMILE IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE TO ARRANGE RETURN OF THE ORIGINAL DOCUMENTS.

TRANSMISSION PROBLEMS

If you have any problems with this transmission, please call 412 394 2348.

00518734.DOC

PAGE 1/12 * RCVD AT 5/6/2005 1:54:38 PM [Eastern Daylight Time] * SVR:USPTO-EFXXRF-2/0 * DNIS:7468000 * CSID: * DURATION (mm-ss):03-20

Pittsburgh

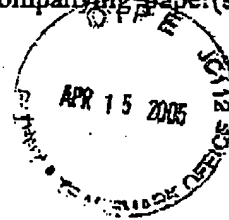
Philadelphia

Princeton

Wheeling

Thorpe Reed & Armstrong, LLP
One Oxford Centre
301 Grant Street, 14th Floor
Pittsburgh, Pennsylvania 15219-1425
412 394 7711
412 384 2555 Fax

The dating stamp of the USPTO on this card will be taken as an indication that the accompanying paper(s) was filed.



Attorney: Edward L. Pencoska, Esq.
Applicant: Philip H. Spano et al.
Serial No.: 10/706,832
Filing Date: 12 November 2003
Title: METHOD OF OPERATING A DISPENSING CABINET
Atty Docket No.: DB000972-002

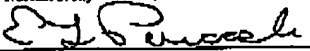
Transmittal Letter x2; and
Response and Amendment Under Rule 116.

ELP/nlw

Dated: 13 April 2005

I hereby certify that this correspondence
is being deposited in the United States
Postal Service as First Class Mail in an
envelope addressed to:

Mail Stop Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450


Attorney for Applicant

Date: 13 April 2005

RECEIVED
CENTRAL FAX CENTER

MAY 06 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.: 10/706,832
Applicant(s): Philip H. Spano et al
Filed: November 12, 2003
Title: METHOD OF OPERATING A DISPENSING CABINET
Art Unit: 3653
Examiner: Michael E. Butler
Docket No.: DB000972-002
Customer No.: 24122

TRANSMITTAL LETTER

To: Mail Stop Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office action mailed 13 January 2005 for the above-captioned application,
enclosed is the following:

- Response and Amendment Under Rule 116

The Commissioner is hereby authorized to charge any underpayment or credit any overpayment
to our Deposit Account No. 20-0888. A copy of this transmittal letter is enclosed.

A return postcard is also enclosed. Please date stamp and mail the postcard in order to
acknowledge receipt of this correspondence.

Respectfully submitted,



Edward L. Pencoske
Reg. No. 29,688
THORP, REED & ARMSTRONG
One Oxford Centre, 14th Fl.
301 Grant St.
Pittsburgh, Pennsylvania 15219-1425
(412) 394-7789
Attorneys for Applicants

Dated: 13 April 2005

00612325.DOC

Appl. No.: 10/706,832
Docket No.: DB000972-002
Amdt. Dated: 13 April 2005
Reply to Office action of 13 January 2005

RECEIVED
CENTRAL FAX CENTER
MAY 06 2005

Appl. No.: 10/706,832
Applicant(s): Philip H. Spano et al
Filed: November 12, 2003
Title: METHOD OF OPERATING A DISPENSING CABINET

Art Unit: 3653
Examiner: Michael E. Butler

Docket No.: DB000972-002

Mail Stop Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE AND AMENDMENT UNDER RULE 116

In response to the Office action dated 13 January 2005, please amend the above-identified application as follows:

Amendments to the Specification: None

Amendments to the Claims are reflected in the listing of the claims which begins on page 2 of this paper.

Amendments to the Drawings: None

Remarks begin on page 5 of this paper.